

EXHIBIT A

2021-44706 / Court: 165

CAUSE NO. _____

JESSICA REYES

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IN THE DISTRICT COURT

VS.

OF HARRIS COUNTY, TEXAS

HOME DEPOT U.S.A., INC.

____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, JESSICA REYES, Plaintiff (sometimes referred to only as "Plaintiff"),
complaining of HOME DEPOT U.S.A., INC., Defendant and for cause of action would show this
Honorable Court the following:

**I.
DISCOVERY CONTROL PLAN**

Plaintiff intends to conduct discovery in this matter under Level 2 of Rule 190 of the
Texas Rules of Civil Procedure.

**II.
PARTIES**

Plaintiff is an individual and a resident of Houston, Harris County, Texas.

Defendant HOME DEPOT U.S.A., INC. is a foreign corporation conducting business in
the State of Texas. Defendant may be served with process by delivering citation to its registered
agent for service, Corporation Service Company d/b/a CSC-Lawyers Incorporating Service
Company, 211 E. 7th Street, Suite 620, Austin, Texas 78701-3218.

**III.
JURISDICTION AND VENUE**

This Court has jurisdiction because the amount in controversy is within its jurisdictional
limits. Venue is proper in Harris County, Texas, because all or a substantial part of the events or
omissions giving rise to the claim occurred in Harris county.

**IV.
FACTS**

This suit is brought as a result of an incident that occurred on or about October 1, 2019. On said date, Plaintiff, who was an employee of HOME DEPOT U.S.A., INC. was injured when another employee dropped a metal bar on her foot. This event occurred at Defendant's store #6525 location in Houston, Texas. Plaintiff was seriously injured as a result.

**V.
NEGLIGENCE – HOME DEPOT U.S.A, INC.**

The incident was proximately caused by the negligence and gross negligence of Defendant HOME DEPOT U.S.A, INC. in creating a condition on the premises that created an unreasonable risk of harm to employees. Specifically, Defendant HOME DEPOT U.S.A, INC. failed to train employees and implement safety protocols. Such negligence was the proximate cause of Plaintiff's injuries.

**VI.
DAMAGES**

As a producing, direct and proximate result of the incident and injuries for which the Defendant is liable, Plaintiff seeks and is entitled to the following damages:

1. physical pain and mental anguish in the past and future;
2. lost wages and loss of earning capacity in the future;
3. physical disfigurement in the past and future;
4. physical impairment in the past and future;
5. medical care in the past and future;
6. exemplary damages; and
7. all other damages allowed by law and equity.

As such, Plaintiff affirmatively pleads that they seek monetary relief over \$250,000.00 but not more than \$1,000,000.00.

**VII.
INTEREST**

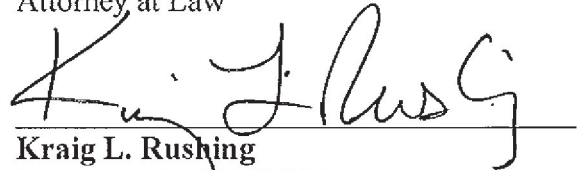
Plaintiff specifically pleads for pre-judgment interest at the maximum legal rate.

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendant be cited to appear and answer, and that on final trial hereof Plaintiff have judgment against the Defendant, jointly and severally, and that Plaintiff recover (1) actual and compensatory damages in accordance with the evidence; (2) pre-judgment and post-judgment interest as provided by law; (3) costs of suit; (4) exemplary damages; (5) attorney's fees; and such other and further relief, at law and in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

KRAIG L. RUSHING

Attorney at Law

A handwritten signature in black ink, appearing to read 'Kraig L. Rushing', is written over a horizontal line.

Kraig L. Rushing

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ATTORNEY FOR PLAINTIFF